

REMARKS

Claims 1-4 are pending in the above-identified application and stand ready for further action on the merits.

Obviousness-Type Double Patenting Rejection

Claims 1-4 have been rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-16 of US 6,479,579 B1. Reconsideration and withdrawal of this rejection is respectfully requested based upon the following considerations.

Enclosed herewith is a terminal disclaimer which disclaims the terminal portion of any patent issuing in the matter of the present application, which would extend beyond the expiration date of US 6,479,579 B1. It is noted that the terminal disclaimer fully complies with all provisions of 37 CFR § 3.73(b).

CONCLUSION

Based upon the submission herewith of the accompanying Terminal Disclaimer, with appropriate fee, the Examiner is respectfully requested to issue a Notice of Allowance clearly indicating that each of the pending claims 1-4 are allowable at present.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully

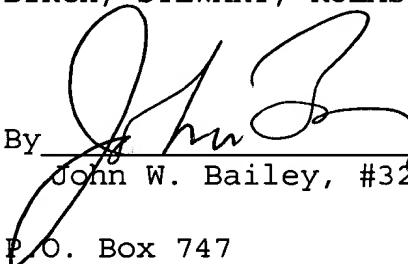
requested to contact John W. Bailey (Reg. No. 32,881) at the telephone number below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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By


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2185-0475P

Attachment(s) : Terminal Disclaimer